

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PULTE HOMES OF NEW MEXICO,
INC., a Michigan corporation; PULTE
DEVELOPMENT NEW MEXICO, INC., a
Michigan corporation,

Plaintiffs,

v.

CINCINNATI INDEMNITY COMPANY,
an Ohio corporation; THE CINCINNATI
INSURANCE COMPANY, an Ohio
corporation; THE CINCINNATI
CASUALTY COMPANY, an Ohio
corporation; HDI GLOBAL SPECIALTY SE
fka INTERNATIONAL INSURANCE OF
HANNOVER, a New York corporation;
SENTINEL INSURANCE COMPANY,
LTD, a Connecticut corporation;
GUIDEONE NATIONAL INSURANCE
COMPANY, an Iowa corporation;
COLORADO CASUALTY COMPANY, a
New Hampshire corporation; OHIO
SECURITY INSURANCE COMPANY, a
New Hampshire corporation; DONEGAL
MUTUAL INSURANCE COMPANY fka
MOUNTAIN STATES MUTUAL
CASUALTY COMPANY, a Pennsylvania
corporation; ACE AMERICAN
INSURANCE COMPANY, a Pennsylvania
corporation; FIRST MERCURY
INSURANCE COMPANY, a Delaware
corporation; CENTURY SURETY
COMPANY, an Ohio corporation; UNITED
SPECIALTY INSURANCE COMPANY, a
Delaware corporation; GEMINI
INSURANCE COMPANY, a Delaware
corporation; PELEUS INSURANCE
COMPANY, a Virginia corporation;
AMERICAN HALLMARK INSURANCE
COMPANY OF TEXAS, a Texas
corporation; CENTRAL MUTUAL
INSURANCE COMPANY, an Ohio
corporation; SOUTHERN INSURANCE

CIVIL NO. 1:22-cv-00388-MV-SCY

**STIPULATION TO DISMISS
PLAINTIFFS' CLAIMS AGAINST
DEFENDANT AMERICAN HALLMARK
INSURANCE COMPANY OF TEXAS
(ECF 1)**

COMPANY, a Texas corporation;
NATIONAL FIRE INSURANCE
COMPANY OF HARTFORD, an Illinois
corporation; NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PA, a Pennsylvania
corporation; STARR INDEMNITY &
LIABILITY COMPANY, a Texas
corporation; ENDURANCE AMERICAN
INSURANCE COMPANY, a Delaware
corporation; CLARENDON NATIONAL
INSURANCE COMPANY, as successor in
interest by way of merger with Sussex
Insurance Company fka as Companion
Property and Casualty Insurance Company, a
Texas corporation; KNIGHT SPECIALTY
INSURANCE COMPANY, a Delaware
corporation; FEDERATED MUTUAL
INSURANCE COMPANY, a Minnesota
corporation,

Defendants.

AND RELATED COUNTERCLAIM

**STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT
AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS (ECF 1)**

IT IS HEREBY STIPULATED by and between Plaintiffs PULTE HOMES OF NEW
MEXICO, INC. and PULTE DEVELOPMENT NEW MEXICO, INC. ("Plaintiffs") and
Defendant AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS, by and through
their respective attorneys of record, that Plaintiffs' claims against Defendant AMERICAN
HALLMARK INSURANCE COMPANY OF TEXAS as asserted in Plaintiffs' Complaint (ECF

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1) and any other claims that could have been asserted therein shall be dismissed with prejudice pursuant to FRCP 41(a)(1). Each party shall bear their own attorneys' fees and costs.

Dated: February 2, 2023

Dated: February 2, 2023

PAYNE & FEARS LLP

AKERMAN LLP

By: /s/ Sarah J. Odia
Scott S. Thomas, Bar No. 21-275
Sarah J. Odia, Bar No. 21-279
4 Park Plaza, Suite 1100
Irvine, California 92614
Attorneys for Plaintiffs

By: /s/ Mark Byron Shutt
David Clark, Esq.
Mark Byron Shutt, Esq.
1300 Post Oak Boulevard, Suite 2300
Houston, TX 77056

Ronald J. Childress, Esq.
Urvashi Parkhani, Esq.
CHILDRESS LAW FIRM, LLC
8500 Menaul Blvd. NE, Suite A-225
Albuquerque, NM 87112

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of February, 2023, a true and correct copy of **STIPULATION TO DISMISS PLAINTIFFS' CLAIMS AGAINST DEFENDANT AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS (ECF 1)** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Jennifer Stephens
Jennifer Stephens, an Employee of
PAYNE & FEARS LLP

4857-7890-6446.1